

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Michael STANEK et al. :
Serial No. NEW : **Attn: APPLICATION BRANCH**
Filed September 2, 2003 : Attorney Docket No. 2003-1124A

**PREPARATION OF ALKYLATED N- OR
AMINO, AMMONIUM OR SPIROBICYCLIC
AMMONIUM GROUP-CONTAINING,
CROSSLINKED POLYMERS**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of [X] the references listed on attached form PTO-1449 and/or [] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. .

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing date of the first Office Action on the merits,

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:
(1) the certification of paragraph 2 below is provided, **or**
(2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:
the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

- a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a. a full or partial English language translation submitted herewith,
- b. a foreign patent office search report (in the English language) submitted herewith,
- c. the concise explanation contained in the specification of the present application at page ,
- d. the concise explanation set forth in the attached English language abstract,
- e. the concise explanation set forth below or on a separate sheet attached to the reference:

5. A foreign patent office search report citing one or more of the references is enclosed.

The Austrian Patent Office has taken the following literatures, which were publicly known before the priority date, into consideration concerning patentability of the application
A 1310/2002

EP 909 768 A2 (Geltex Pharmaceutics, Inc.); 4/21/99, especially Example 22

U.S. 4,528,184 A (Kurono et al.); 7/9/85, especially Examples 1 and 2

U.S. 5,925,379 A (Mandeville, III et al.); 7/20/99, especially Example 2

WO 02/22695 A1 (DSM Fine Chemicals Austria Nfg GmbH & Co Kg); 6/20/02

Translation of the relevant portion:

The examination was restricted to claims 1-8, 10 & 11, since it seems that the application document does not comply with the legal requirements of §88 PatG. (lack of unity).

Processes for the preparation of alkylated N-, amino-, ammonium- or spirobicyclic or ammonium groups containing, crosslinked polymergels according to claim 1 are already known from the above cited documents.

Respectfully submitted,

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FORM PTO 1449 (modified)			ATTY DOCKET NO. 2003-1124A	SERIAL NO. NEW			
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			APPLICANT Michael STANEK et al.				
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			FILING DATE September 2, 2003				
Date Submitted to PTO: September 2, 2003							
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,528,184 A	7/1985	Kurono et al.			
	AB	5,925,379 A	7/1999	Mandeville, III et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ	909 768 A2	4/1999	EP			
	AK	02/22695 A1	6/2002	WIPO			
	AL						
	AM						
	AN						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AO						
	AP						
	AQ						
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.